

From: J.D. Forinash
To: Microsoft ATR
Date: 1/23/02 6:03pm
Subject: Microsoft Settlement Concerns.

To Whom it May Concern:

I am writing to voice my opinion on the proposed Microsoft settlement. I do not believe that the proposed settlement settles anything. Microsoft will go effectively unpunished, and will not lose any ability to engage in the activities that brought them to this point. While the relevance of the latter may not be important, the former, I believe, is. No company should be allowed to use anticompetitive practices to keep other businesses from having a chance.

As an example, take "PC compatible" hardware. If someone buys a "PC compatible" system, he has the option of running Microsoft's Windows, Sun's Solaris x86, Linux, or BSD on the machine. For a while, we saw major vendors ship Linux machines, but those aren't advertised anymore, and are only still available from a select few major vendors. As of this writing, featured business PCs on the following vendor's websites have _no way_ to order a machine without some version of Microsoft's Windows operating system:

Dell
Gateway
Compaq
IBM
Sony

Is it possible that all of these vendors have policies that make it unfeasible for them to install another operating system on their PCs, or even _not load an operating system at all?_ Certainly not. Microsoft has used their market power to arrange that any PC purchased from any reputable manufacturer is required to also buy Windows, whether they need it or not.

Any "settlement" between Microsoft and the people of the United States of America should require that Microsoft is not able to use such strongarm tactics and is punished for using these tactics in the past.

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